

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

**UNITED STATES OF AMERICA**

**Plaintiff,**

**v.**

**BRANDON EARL PRESLEY,**

**Defendant.**

**Case No. 24-CR-107-SEH**

**RESPONSE TO GOVERNMENT’S SENTENCING MEMORANDUM**

The Defendant, Brandon Early Presley, by and through undersigned counsel, submits this response to the Government’s sentencing memorandum (Dkt. # 83). The Defendant has submitted a Motion for a Nonguideline Sentence (Dkt. # 82), which outlines the Defendant’s requests for a nonguideline sentence of 180 months based upon the 18 U.S.C. §3553 factors. The Defendant files this response to the Government’s Sentencing Memorandum to specifically address Section III of the Government’s argument regarding the application of the Special Sex Offender Conditions.

The presentence report was distributed to both Defense Counsel and the Government. Defense Counsel forwarded corrections and objections to the presentence report to the U.S. Probation office and the Government. The Government has responded to Defense Counsel’s objection in their sentencing memorandum. Defense Counsel maintains their objection to Paragraph 4 of the Special Sex Offender Conditions and incorporates their objection into the record as Exhibit 1.

For the reasons set forth above, the Defendant requests a nonguideline sentence of 180 months to run concurrently with the anticipated state sentence in Cleveland County Oklahoma Case Number CF-2024-326 pursuant to U.S.S.G. §5G1.3(c). Furthermore, the Defendant objects

to the inclusion of Paragraph 4 of the Special Sex Offender Conditions as a condition of supervised release.

Respectfully submitted,

**OFFICE OF THE FEDERAL PUBLIC DEFENDER**

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**CERTIFICATE OF SERVICE**

I certify that on May 21, 2025, I electronically transmitted the foregoing document to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrant(s):

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